

Docket Number: 10981981-4
Application No. 10/016,629
Amendment A

REMARKS/ARGUMENTS

Claims 1, 11, 12, and 21 - 27 are in the application. Reconsideration is respectfully requested.

Rejections under Section 102

Claims 1, 11, 12 and 22 were rejected as anticipated by Brault.

Independent claim 1 recites a translucent ink-receiving coating, and claim 22 recites translucent ink-receiving material. The specification (page 9, lines 21 - 26) discusses such translucent material and its function, as follows:

"It is noteworthy here that best results are obtained when the sol-gel of the ink-receiving layer 24 is prepared to be translucent or "milky" in appearance, thereby to effectively hide any adhesive that may appear on non-printed portions of the image. This translucence in the sol-gel can be accomplished by blending titania into the sol-gel mixture before it is applied as the ink-receiving coating 24."

Thus, the claimed ink-receiving coating or material 24 (which is applied to a transparent sheet 30 of media) is milky in appearance for hiding any adhesive that may appear on the backing material to which the coated sheet is bonded.

In another embodiment (page 3, lines 12 - 17) the ink-receiving coating is described as transparent and colorless, and is not discussed in the context of an embodiment whereby it is desirable to hide an adhesive.

As respects claims 1 and 22, the grounds for rejection (Paragraph 4 of the Detailed Action) assert, among other things, that the Brault element shown in Fig. 3B discloses "*a transparent (therefore translucent) image receiving layer (16).*" Applicant respectfully disagrees with the notion that Brault's disclosure of a transparent image-receiving layer expressly or inherently teaches a translucent layer.

Brault does not use the word "translucent" anywhere in that reference. Moreover, the claim term "translucent" cannot be reasonably interpreted, consistent with the specification, as meaning "transparent." A dictionary definition of transparent is: "capable of transmitting light so that objects or images can be seen as if there were no intervening material."¹

¹ Excerpted from *The American Heritage Dictionary of the English Language, Third Edition* Copyright © 1992 by Houghton Mifflin Company.

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A dictionary definition of translucent is: "*Transmitting light but causing sufficient diffusion to prevent perception of distinct images.*"¹

With the foregoing dictionary definitions in mind, applicant submits that the meaning of the term "translucent" should be interpreted as *transmitting light but causing sufficient diffusion to prevent perception of an adhesive*. This definition is not the same as the definition or "transparent." Accordingly, the interpretation asserted in the office action effectively stating that the claim term "translucent" is anticipated by a reference teaching only "transparent" is an improperly broad reading of the term and the anticipation rejection should be withdrawn. Accordingly, claims 1, 22, and the claims depending therefrom should be allowable.

New apparatus claim 24 is generally analogous to method claim 1 and includes the recitation of particulars (backing means) for producing the glossy print. Nothing described in the art of record suggest any structure that is equivalent to that defined in claim 24 and the claims depending therefrom.

Conclusion

In view of the foregoing, applicant believes that all of the currently pending claims are in condition for allowance, and an early notification to that effect is respectfully requested. If the Examiner has any questions, he is invited to contact applicant's attorney at the below-listed telephone number.

Respectfully submitted,
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